

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

FABIAN VAKSMAN,

Plaintiff,

-vs-

ADAM EISENBERG, SUZANNE HATFIELD,
MIKE FINKLE, CITY OF SEATTLE, et
al.,

Defendants.

NO. CV-07-236-LRS

ORDER DENYING PLAINTIFF'S
MOTION FOR
RECONSIDERATION

On October 9, 2007, the Court dismissed this case without prejudice and closed the file based on Plaintiff's failure to cure the deficiencies in his amended complaint. On October 9, 2007, Plaintiff filed an "Amended 11th Motion," Ct. Rec. 50, which was subsequently denied as moot by text order on October 10, 2007. On October 22, 2007 Plaintiff filed a "Supplemental 13th Motion to Reinstate Re Order of Dismissing Case," Ct. Rec. 59.

Plaintiff essentially asks the Court to grant leave to once again consider his allegations that have been altered somewhat and to grant him a Local Rule 24.1 hearing. Leave to amend is not necessary where it is clear that the deficiencies in the complaint cannot be cured by amendment. *Franklin v. Murphy*, 745 F.2d 1221, 1228 n. 9 (9th Cir.1984). Plaintiff's request to reconsider the court's order of dismissal is

1 denied. The complaint remains dismissed and the file shall remain
2 closed.

3 **IT IS ORDERED** that:

4 1. Plaintiff's Supplemental 13th Motion to Reinstate Re Order of
5 Dismissing Case, **Ct. Rec. 59**, is **DENIED**.

6 2. Plaintiff's pending motions are **DENIED**, as being **MOOT**.

7 3. The above-titled case **REMAINS DISMISSED WITHOUT PREJUDICE** and
8 the file **CLOSED** in this matter.

9 **IT IS SO ORDERED.** The District Court Executive is directed to file
10 this Order and provide a copy to Plaintiff and counsel for Defendants.

11 DATED this 26th day of October, 2007.

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13 ***s/Lonny R. Suko***

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15 LONNY R. SUKO
16 UNITED STATES DISTRICT JUDGE
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